

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JULENE VALENTINE,

Plaintiff,

-against-

BRAIN & SPINE SURGEONS OF NEW YORK,
P.C., SCOLIOSIS AND SPINE SURGERY, P.C.,
KRISHNA SHARMA AND RUDOLPH
TADDONIO, BOTH INDIVIDUALLY AS AIDERS
AND ABETTORS,

Defendants.

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Civil Action No.: 7:17-cv-02275-NSR

NOTICE OF MOTION BY DEFENDANTS TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law in support of Defendants' Motion to Dismiss, the Declaration of Rudolph Taddonio, M.D., and the Declaration of Kenneth Tompkins, Defendants Brain & Spine Surgeons of New York, P.C., Scoliosis and Spine Surgery P.C., Krishn Sharma, M.D. and Rudolph Taddonio, M.D., by and through their undersigned attorneys, will move before The Honorable Nelson S. Román, United States District Judge for the Southern District of New York, at 300 Quarropas Street, White Plains, New York 10601, in Courtroom 218, on such date as the Court will determine, for an order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the First Amended Complaint in the above captioned action, with prejudice.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the order of the Court, opposing papers, if any, must be served on or before August 10, 2017, reply papers, if any must be served on or before August 25, 2017, and all papers served in connection

with this motion must be filed with the Court on or before August 25, 2017.

Dated: White Plains, New York
July 10, 2017

Respectfully submitted,

/s Peter Freiberg
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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2017, I electronically transmitted the attached document by email to counsel for Plaintiff, Julene Valentine, addressed as set forth below:

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/s/ Peter N. Freiberg